

Conditions of Approval - Use Permit

In addition to complying with all applicable City, County, State and Federal Statutes, Codes, Ordinances, Resolutions and Regulations, Permittee expressly accepts and agrees to comply with the following conditions of approval of this Permit:

Unless otherwise noted, all conditions shall be subject to the review of approval of the Director of Community Development.

1. GENERAL CONDITIONS

- A. Any major site and architectural plan modifications shall be treated as an amendment of the original approval and shall be subject to approval at a public hearing except that minor changes of the approved plans may be approved by staff level by the Director of Community Development.
- B. The Conditions of Approval shall be reproduced on the cover page of the plans submitted for a Building permit for this project.
- C. The Use Permit shall expire if the use is discontinued for a period of one year or more.
- D. The Use Permit shall be null and void two years from the date of approval by the final review authority at a public hearing if the approval is not exercised, unless an application for an extension is received and approved prior to the expiration date.
- E. This Use Permit shall be restricted to three years from the date of occupancy, or four years from the date of Planning approval, whichever is less. To continue the use on the site, the applicant must then apply to the Planning Commission for another Use Permit which will include an analysis of impacts of the use on the existing and neighboring sites. The applicant is advised to apply for the new Use Permit at least 3 months prior to the expiration date of this Use Permit to allow for continuity of use.
- F. Construct new sidewalk, curb, and gutter along both street frontage of the project site along Weddell. Sidewalk may have a meandering design to minimize impact on existing mature trees.
- G. Limit regular on-site attendance of all persons to 300 at one time.
- H. Install a curb ramp along Weddell.
- I. Phase I hours of operation are limited to 8:00 a.m. to 10:00 p.m. Monday through Sunday. (Phase I ends when the 521 E. Weddell site is operational.) Major assembly activities (i.e. greater than 150 people) are limited to weekday evenings and weekends.

- J. Phase II hours of operation are limited to **8:00 a.m. to 10:00 p.m.** Monday through Saturday. (Phase II begins when the 521 E. Weddell site is operational.)
- K. During Phase II the allowable uses on the site will be coordinated and restricted with the uses on the 521 E. Weddell site, such that there is no proposed overlap between the uses on the two sites. There shall be at least a 30 minute buffer between the scheduled assembly uses on the 521 and 539 E. Weddell sites to minimize the impact of vehicles leaving or arriving at the sites.
- L. Out-of-door loudspeakers are prohibited.
- M. Obtain a Business License prior to occupancy.
- N. The **entire site shall be used for a place of assembly as defined in the report.** Portions of the site may not be leased for other uses.
- O. The activities, hours of operation, frequency, and maximum number of practitioners shall not exceed those listed in the following table:

Day & Time	Rooms Used	Max. Total People
Sunday 7:30 a.m. – 10:15 a.m.	Classrooms	300
Sunday 10:15 a.m. – 12:00 (noon)	Sanctuary, Kid's Church	300
Sunday 12:00 (noon) – 6:00 p.m.	Sanctuary	300
Monday–Friday 8:00 a.m. – 5:00 p.m.	Offices	100
Wednesday 5:00 p.m. – 10:00 p.m.	Classrooms	300
Saturday 8:00 a.m. – 10:45 a.m.	Sanctuary	300

- P. The major assembly halls (Sanctuary, Kid's Church, Classrooms), shall not be used concurrently, with the exception of the Sanctuary and Kid's Church on Sunday mornings and weekday evening.
- Q. The Lobby areas may not be used as a place of assembly, but only as transition space to move into one of the major assembly halls. Chairs shall not be placed in the lobby area.
- R. If the existing southern parking lot is converted to a recreational area, it will only be used as an ancillary use to the building.

2. COMPLY WITH OR OBTAIN OTHER PERMITS

- A. Meet all Building Code requirements and obtain all necessary Building Permits.
- B. Obtain necessary Development Permit(s) from the Department of Public Works for all proposed and required off-site improvements, including for all improvement in the public right-of-way.
- C. This project shall comply with all DPW/Engineering standard development requirements (available upon request).
- D. Any existing deficient public improvements shall be upgraded to current City standards, such as driveway approaches and upgrade existing water meter to radio-read water meter.

3. PARKING

- A. Prior to obtaining a Building Permit, submit a Transportation and Parking Management Plan (TPMP) to the Director of Community Development for approval. The TPMP shall provide additional parking for 50 spaces at 521 E. Weddell (2005-0803) or a nearby site (and potentially more spaces if needed due to site modifications for the solid waste enclosure). The TPMP shall be approved by the Director of Community Development.
- B. The shared parking agreement shall be recorded with the deed for both the subject site and the shared parking site prior to occupancy.
- C. Provide 5 accessible parking spaces.

4. DESIGN/EXTERIOR COLORS AND MATERIALS

- A. Final exterior building materials and color scheme are subject to review and approval of the Planning Commission/Director of Community Development prior to issuance of a building permit.

5. LANDSCAPING

- A. Allow for a meandering sidewalk (to be installed along the south and west boundaries of the site) to protect the existing trees.
- B. Remove the 4 trees evaluated as poor, extremely poor and dead in the Arborist Report and replace them with four **large species native trees as appropriate for the site**, of a type and in a location to be approved by the City Arborist.
- C. All existing landscaping and irrigation systems shall be maintained in a neat, clean, and healthful condition.
- D. Trees shall be allowed to grow to the full genetic height and habit (trees shall not be topped). Trees shall be maintained using standard arboriculture practices.

- E. Maintain trees along side and rear property lines.
- F. Do not remove any existing protected trees unless approved through this permit or a separate Tree Removal Permit.
- G. **upgrading of landscape and irrigation system per proposed plans**

6. TREE PRESERVATION

- A. Prior to issuance of a Building Permit, obtain approval of a tree protection plan from the Director of Community Development. Two copies are required to be submitted for approval. Special measures may be required for installation of the sidewalk.
- B. The tree protection plan measures shall be installed prior to issuance of any Building Permits, subject to the on-site inspection and approval by the City Arborist.
- C. The tree protection plan shall remain in place for the duration of construction.
- D. The tree protection plan shall include measures noted in Sunnyvale Municipal Code Section 19.94.120, and shall meet all of the proposed protection measures stated in the Arborist Report.
- E. Overlay Civil plans including utility lines to ensure that the tree root system is not damaged.

7. LIGHTING

- A. Prior to issuance of a Building Permit submit an exterior lighting plan, including fixture and pole designs, for approval by the Director of Community Development, to ensure site has adequate light in the parking lot area. Parking area lights shall include the following:
 - 1. Sodium vapor (of illumination with equivalent energy savings).
 - 2. Pole heights to be uniform and compatible with the areas, including the adjacent residential areas. Light standards shall not exceed 18 feet on the interior of the project and 8 feet in height on the periphery of the project nearby residential site (currently under development).
 - 3. Provide photocells for on/off control of all security and area lights.
 - 4. All exterior security lights shall be equipped with vandal resistant covers.
 - 5. Wall packs shall not extend above the roof of the building.
 - 6. Lights shall have shields to prevent glare onto adjacent properties.

7. Upgrade street light poles to Marbelite.

8. BICYCLE PARKING

- A. Provide 1 Class I bicycle parking spaces (or allocate appropriate space), and provide Class II (rack) parking spaces for at least 13 bicycles (per VTA Bicycle Technical Guidelines) to be approved by the Director of Community Development.

9. RECYCLING AND SOLID WASTE

- A. Submit a revised detailed recycling and solid waste disposal facility design to the Director of Community Development for approval prior to the issuance of Building Permits.
- B. All exterior recycling and solid waste shall be confined to approved receptacles and enclosures.
- C. The enclosure shall be of masonry construction and shall match the exterior design, materials and color of the main building.

10. SIGNS

- A. All existing/new signs shall be in conformance with Sunnyvale Municipal Code and require a separate permit.

11. UNDERGROUND UTILITIES

- A. Any existing utilities and service drops on the site or along the adjacent public right-of-way shall be undergrounded. (While none were noted by staff, if such utilities are identified during the development of this project, applicant shall meet all City requirements.)

12. PUBLIC WORKS

- A. Upgrade existing fire hydrants to meet current city standards. Existing hydrants shall be salvaged and returned to Public Works Department.
- B. Existing utilities need to be upgraded to meet current city standards.
- C. Provide new driveway approaches on both Weddell Drive entrance/exits.
- D. All existing utility lines and/or their appurtenances not serving the project and/or have conflicts with the project, shall be capped, abandoned, removed, relocated and/or disposed to the satisfaction of the City.
- E. Install a stop sign at all driveway exits.

13. FIRE SAFETY

- A. As applicable, comply with the requirements contained in Sunnyvale Municipal Code Chapter 16.52, 16.53 and 16.54; California Fire Code, Title 19 California Code of Regulations, including:
 - 1. Provide approved fire extinguishers (minimum size of 2A10BC).
 - 2. Provide approved range hood protection system UL 300 (UFC 1006).
 - 3. Provide a K class fire extinguisher in the kitchen for deep fryers.
 - 4. Provide illuminated exit signs (CFC 1212.4).
 - 5. Provide emergency egress lighting (CFC 1212.1).
 - 6. If deemed necessary, a Knox Box system (key switch) shall be located in accordance with the Fire Prevention Bureau requirements.
 - 7. Install panic hardware on exit doors (CFC1207.4).
 - 8. Corridor protection requirements (2.3 Appendix 1-A UFC).
 - 9. Insure sprinkler protection systems & exiting requirements comply with Assembly occupancy.
- B. The water supply for fire protection and fire fighting shall be approved by the Department of Public Safety.
- C. Fire access lanes are required and shall be marked in accordance with MC 16.52.160, UFC 901.